



MICHIGAN HEALTH & HOSPITAL ASSOCIATION

Advocating for hospitals and the patients they serve.

TO: Members of the Senate Health Policy Committee

FROM: Chris Mitchell, Senior Director, Advocacy

DATE: March 7, 2013

SUBJECT: Senate Bill 136 – Conscientious Objector Legislation

MHA Position: Oppose

The Michigan Health & Hospital Association strongly opposes Senate Bill 136, introduced by Senator John Moolenaar (R-Midland), which would allow health care payers, health facilities and health providers to decline or pay for certain health care services that violate ethical, moral or religious principles, or beliefs. **As one of the state's largest private-sector employers, The MHA and Michigan hospitals oppose the bill because it would create impediments to appropriate patient care and establish new provisions in employment laws that are cumbersome and prone to litigation.**

As currently drafted, Senate Bill 136 is repetitive of current hospital policies. Previously, as a condition of accreditation, The Joint Commission and other accreditation bodies have required hospitals to implement a policy for those employees wishing to assert a conscientious objection to participating in a health care service. These policies give hospitals the flexibility to respond to employees' objections to participating in certain health care services without monetary penalties. To date, these policies have been implemented and adhered to by virtually every Michigan hospital. **Based on feedback from our member hospitals, health care providers have not been discharged nor had any actions taken against their license for refusing to participate in a health care service.**

Additionally, this legislation is very broad, including functions once removed from patient care and could therefore; adversely affect direct and indirect patient care. The fact is health care delivery is changing, and so is the world around it. The intent is to reinvent the health care system to focus on coordinated, value-based and patient-centered care. **Senate Bill 136 elevates the status of employees above the needs of patients, going against Michigan hospitals' commitment to leading our state toward becoming the national benchmark for health care quality and patient safety.**

Current Michigan law allows facilities and individual providers to refuse to perform abortion services under a moral objection clause. However, this legislation is an unnecessary overreach that is clearly a solution looking for a problem. Further **Placing additional unfunded, unfounded mandates on one of the state's largest private sector employers is not good public policy, for that reason, the MHA urges you to oppose Senate Bill 136.** Please contact Chris Mitchell at (cmitchell@mha.org) or (517) 703-8622 at the MHA if you have further questions on this issue.

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